

Application No.: 10/538,522
Amendment dated: July 24, 2006
Reply to Office Action of February 22, 2006
Attorney Docket No.: 21295.0106US1 (E0664US)

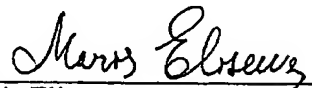
filter in a stereo microscope. No disclosure of a filter disposed in an optically conjugated Fourier plane of the pupil plane of the lens could be found in Amann. Therefore, the combination of Yamaguchi and Bourdelais does not disclose all elements of the invention as claimed in Claim 10. Therefore, Claim 10 is in compliance with the requirements of 35 U.S.C. 103(a) and is allowable. Withdrawal of this rejection and allowance of Claim 10 is respectfully requested.

Claim 12 was rejected under 35 U.S.C. 103(a) over Yamaguchi in view of Fay et al. (US Patent No. 5,009,488). This rejection is respectfully traversed for the following reasons. Fay discloses no microscope with the lens and imaging system, determining the relationship between the pupil plane of the lens and the focal plane of the imaging of the system for placing at least one attenuating element in the focal plane. Therefore, the combination of Yamaguchi and Fay does not disclose all elements of the invention as claimed in Claim 12. Therefore, Claim 12 is in compliance with the requirements of 35 U.S.C. 103(a) and is allowable. Withdrawal of this rejection and allowance of Claim 12 is respectfully requested.

Applicants believe that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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